

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOUSE OF EUROPE FUNDING I LTD.,

Plaintiff,

-v-

WELLS FARGO BANK, N.A., *et uno*,

Defendants.

WELLS FARGO BANK, N.A.,

Counter Claimant,

-v-

HOUSE OF EUROPE FUNDING I LTD.,

Counter Defendant.

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DATE FILED: <u>1/30/2015</u>

No. 13-cv-519 (RJS)
ORDER

RICHARD J. SULLIVAN, District Judge:

On December 22, 2014, Plaintiff House of Europe Funding I Ltd. (“HOE I”) and Defendant Wells Fargo Bank, N.A. (“Wells Fargo”) submitted a joint discovery letter to the Court regarding Wells Fargo’s requests for documents concerning “payment of legal fees and expenses incurred by or on behalf of HOE I” and “legal services to be rendered to HOE I.” (Doc. No. 120.) Wells Fargo also requests that portions of the joint letter be filed under seal on the grounds that disclosure would “violate [European Union and Federal Republic of Germany] laws governing the disclosure of information” or “be detrimental to the conduct of [Wells Fargo’s or Collineo’s] business.” (Doc.

No. 122 (quoting Doc. No. 81).)

After reviewing the joint discovery letter, the Court is persuaded that HOE I need not comply with these document requests, as they are impermissibly overbroad. Accordingly, IT IS HEREBY ORDERED THAT Wells Fargo's motion to compel production of the documents described in Requests Nos. 50 and 51 is denied.

With respect to the parties' sealing request, the Court is unpersuaded that the parties have overcome the strong presumption of open records. *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 119-20 (2d Cir. 2006). Accordingly, IT IS FURTHER ORDERED THAT Wells Fargo's motion to seal portions of the December 22 joint discovery dispute letter is denied without prejudice to renewal. IT IS FURTHER ORDERED THAT, by February 6, 2015, Wells Fargo shall either file a renewed motion to seal portions of the December 22 joint discovery dispute letter, providing particularized explanations as to why the redacted portions of the letter require sealing, or publicly docket an unredacted version of the December 22 joint discovery dispute letter.

In all other respects, the parties shall continue to comply with the Case Management Plan and Scheduling Order previously set by the Court. (Doc. No. 134.)

SO ORDERED.

Dated: January 30, 2015
New York, New York



RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE